



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Derrick I. Hisatake  
Serial No. : 09/754,093  
Filed : January 3, 2001  
Title : UPGRADING PERIPHERAL DEVICES

Art Unit : 2124  
Examiner : Trenton J. Roche

MAIL STOP AF  
Commissioner for Patents  
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Alexandria, VA 22313-1450

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Technology Center 2100

REPLY TO ACTION OF MAY 5, 2004

Claims 1-6, 8-15, 17-22, and 24-29 stand rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over U.S. Patent 6,055,632 to Deegan et al. in view of U.S. Patent 5,504,801 to Moser et. al.

As explained in the Remarks section of the Reply to the preceding Office Action, claim 1 recites a method that includes automatically upgrading internal software of a peripheral device installed in a network device using an upgrade package. The upgrade package includes a flash erase file for erasing the contents of memory in the peripheral device as well as software for updating the peripheral device. An example is discussed in connection with FIG. 4 of the specification. In that example, the upgrade package 60 contains both a flash erase file 64 and new software 62 that are used during a peripheral device upgrade. For example, as disclosed on page 4 of the specification, the flash erase file 64 may be used to erase existing software in the peripheral device and set the peripheral device to a mode in which the new software 62 can be written to the peripheral device. Independent claims 9, 18, and 25 also recite an upgrade package that includes a flash erase file and software for updating the peripheral device.

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